

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JOSEPH WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOUSING & URBAN DEVELOPMENT,
et al.,

Defendants.

Case No. 1:16-cv-03948-ENV-SMG

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Motion to Dismiss and the accompanying Declaration of John W. Lucey, Defendants the United States Department of Housing and Urban Development (“HUD”), Ben Carson, in his official capacity as Secretary of HUD, and the Commissioner of the Federal Housing Administration (“FHA”) (collectively, “the Federal Defendants”), will move before the Honorable Eric N. Vitaliano, United States District Judge for the Eastern District of New York, at the United States Courthouse, 225 Cadman Plaza, Brooklyn, New York, at a date and time to be set by the Court, for judgment dismissing this action pursuant to Federal Rules of Civil Procedural 12(b)(1) and 12(b)(6) and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Order of the Court dated April 17, 2017, Plaintiffs are to serve their answering papers by June 23, 2017, and the Federal Defendants are to serve any reply papers by July 7, 2017.

Dated: May 3, 2017

Respectfully submitted,

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